

MINNESOTA BOARD OF BARBER EXAMINERS
MONDAY September 26, 2011

Minutes

Members Present: Frank Plant, Chair; Douglas Klemenhausen, Secretary, and Jon Stone
Absent: Clarence Jones

1) Call to Order

Meeting was called to order by Chair Plant at 8:00am

2) Approve Agenda

Motion by Klemenhausen, second by Stone, Motion carried unanimously

3) Approve Minutes

Motion by Klemenhausen, second by Stone, Motion carried unanimously

4) Unfinished Business

A. The Barbershop: A Hair Salon for Men – The Board had referred this matter back to the complaint committee for reconsideration. The Complaint Committee did not reopen this matter as there was no new information submitted for consideration. This file is closed.

5) Requests

A. Hussein Jimleyste, Reciprocity Application

Seeking licensure by reciprocity based on documents from Kenya. Hussein is working on licensing a shop, needs to find a master barber, and seeking to take the test to become licensed as a master barber himself.

There was discussion related to the documentation provided, board attorney Mike Tostengard stated that unless there was some reason to suspect the documentation the board should take it on “face value”.

Motion by member Stone to allow Mr. Jimleyste to sit for the Registered Barber Exam based on his experience. Second by member Klemenhausen, motion carried unanimously.

B. Amin Hussein, Reciprocity Application

Request to take exam based on experience and documentation. Amin was unable to attend the meeting. Tabled for next meeting.

C. Aweis Maye, Reciprocity Application

Requesting to take the registered barber exam, unable to provide documentation due to the civil war in Somalia. He has a letter from a local Somali organization supporting the difficulty in getting records from Somalia at this time.

There was discussion regarding the statute and whether to allow Mr. Maye to take the apprentice exam or registered barber exam. Motion by Klemenhausen to allow Mr. Maye to sit for the registered barber exam, second by Stone, motion carried unanimously.

D. Abshir Musse Reciprocity Application

Requesting to take the registered barber exam, unable to provide documentation due to the civil war in Somalia. He has a letter from a local Somali organization supporting the difficulty in getting records from Somalia at this time.

There was discussion regarding the statute and whether to allow Mr. Musse to take the apprentice exam or registered barber exam. Motion by Stone to allow Mr. Musse to sit for the registered barber exam, second by Klemenhausen, motion carried unanimously.

E. Agbeko Nyanu, Reciprocity Application

Mr. Nyanu provided an affidavit of experience and license that were not translated however the documents contained official stamps and original signatures. Discussion ensued regarding the documents provided. Motion by Klemenhausen to allow the registered “master” barber exam, second by Stone motion carried unanimously.

F. Aliyi Hassan, Reciprocity Application

Seeking to take the registered barber examination, he paid for the exam in 2009 after payment he was not allowed to take the examination due to inadequate education. Aliyi has provided additional documentation at this time. Aliyi is currently a student at Moler Barber School and owner Terrie Mau attested to his ability and apparent experience. Due to documentation motion by Stone to allow registered “master” examination, second by Klemenhausen motion carried unanimously.

G. Peggy Schmidt regarding student hours for Byron Edwards

Byron left barber school and then re-enrolled later. At the time of re-entry into barber school there was not a student permit applied for and therefore board staff denied the hours.

Byron explained to the board that he and Ms. Schmidt from the Minnesota School of Barbering have been to court regarding this issue and Byron indicates that during court Ms. Schmidt indicated a different number of hours that she has reported to the board. Byron is asking that the board grant the 1422 hours that Ms. Schmidt reported in court.

Motion by Stone to certify 1422 hours pending submission of documentation from court proceeding discussed, second by Klemenhausen, motion carried unanimously.

H. Christopher Hernandez- Apprentice hours for John Day

Christopher Hernandez has requested that his apprentice receive hours for the time that his license was lapsed. He states that he is aware that his license should be kept up to date and is asking that his apprentice not be penalized due to his oversight.

Motion by Klemenhausen to allow credit for apprentice hours, second by Stone motion carried unanimously.

I. Eric Watrin- Exam Request

Eric's license expired 12/31/2008. He is asking for an advanced barber examination prior to November 7 so that he may continue working. Eric made a statement asking for a private exam at this time. Eric explained that he did send a renewal prior to 1/1/2011 that was late arriving to the board office.

The secretary clarified that due to the date the license expired the payment that arrived late would not have changed the circumstances because the license had already been expired for more than one year.

Motion by Stone that the board not grant a private exam and the barber should take the November exam, second by Klemenhausen, motion carried unanimously.

There was some further discussion regarding the possibility of granting a temporary license. There was no motion made.

J. James Nyuyen-Adapted Exam

James took his master exam with an interpreter and failed the written exam. Mr Nyuyen is asking to be allowed to retake the written exam with adaptations due to learning problems as a result of having a brain tumor removed and has learning issues as a result in addition to English as a Second Language.

Motion by Klemenhausen that the accommodation of allowing the written test to be retaken in the board office after receipt of documentation related to the surgery and learning difficulties, second by Stone, motion carried unanimously.

6) Correspondence

A. Daniel Ficher, Registered Barber – Fee increases and services

Letter from Mr. Ficher provided to each board members. Member Stone indicated that he knows Mr Ficher and has had a discussion with him regarding how the fees are set and how the board is funded.

B. Robert Christensen, Registered Barber - Fee increases and services

Letter from Mr. Christensen provided to the board members. Concerns about fees and services summarized for the board. The board did not direct any response be made.

C. Carl Troup, Former NABBA 5th Vice Chair –

Resigned from NABBA, Not reappointed by CA Gov. to the CA Barber Board
Letter provided to the board

D. Brent Little, Apprentice Barber – Board Exam

Letter regarding concerns about the haircuts given by other students at the exam he took.
The board did not direct any response to the correspondence.

There was discussion by the board regarding the way the haircuts are done.

-The board recognized the interpreter/helper from earlier regarding Mr. Jimleyste: Mr. Jimleyste does not read and write and therefore why does he need to purchase the book? The test was discussed in detail and the requirement to take the written test as well as the opportunity to work with an interpreter.

The discussion returned to the haircut required at the board examination. Chair Plant shared information he received at the National Convention regarding the haircuts given at board exams for other states. A discussion with the school representatives and barbers present ensued regarding the haircut. The board determined to restate the requirements for the haircut as currently written and the board members to hold the examinees to these requirements during the exam. The board secretary will send a notice to schools and examinees stressing that models must have sufficient hair to meet the requirements and that examinees will fail the exam if the hair is cut too short.

- E. James Jackson – Registered Barber - Retiring
Letter provided to the board members.

7) Inspector Report

A. Inspections completed

444 inspections including 3 school inspections complete

B. Summary of violations

Expired Shop

Expired Barber Licenses

Unlicensed Shops and Barbers

Discussion regarding shops that have not ever been licensed and unlicensed barbers ensued.

No dispensaries

The inspector is doing a lot of education regarding the need for dispensary if there is not a sink within 5 feet of the chair.

Flooring issues including holes in the floors, carpet around chairs etc...

The Inspector is also working with these issues as an educational opportunity and working with the barbers to address the issues of shop condition etc...

C. Other

Inspector is now using map geo program, free version, to map shop locations.

Inspector Lawson reports that he is being received with more respect and is not hearing complaints about not having been a barber before taking the inspector position. The Executive Secretary added that although Jason calls when there is a potential complaint due to the inspection process these calls very rarely happen.

Question was asked regarding the process when an unlicensed shop is found. The individuals are contacted that the board has received the information regarding the unlicensed status and that triggers the complaint process and due process rights for the individuals involved. Although the process is complex and lengthy the board now has a functioning complaint committee and is actively seeking to address these issues.

8) Executive Secretary Report

A. NABBA Conference Summary

Board Chair Plant and Executive Secretary Fisko summarized the National Association of Barber Boards of America conference and what was shared and learned there. The conference offers an opportunity for networking and one of the major advantages is learning that states are facing the same type of issues and how they are addressing them. Some of the main topics were shared as well as similarities.

One topic from the conference is felony convictions and licensing, a discussion ensued regarding the statutes including barbers chapter 254 and the health licensing board chapter 214 as well as the chapter 364. It was also noted that proposed legislation for Chapter 214 in the past couple of legislative sessions has been proposed exclude all individuals convicted of felony level criminal sexual conduct-this proposal will very likely be brought forward again.

The protection of the use of the title barber and display of the barber pole.

B. Licensing

As of September 1, 2011:

2055 Licensed Registered (Master) Barbers

177 Licensed Apprentice Barbers

111 Student Barbers

851 Barber Shops

C. Examinations

Next Examination November 7, 2011 at Moler Barber School

D. Legislative Update

The Advisory Committee continues to work on a proposal for legislation. The final proposal should be ready for the November Board meeting.

E. Policy and Procedures

Revisions to forms, the Executive Secretary went over changes in forms after discussion it was determined that he secretary will work with the boards Attorney in finalizing the form revisions.

There was discussion regarding a monthly report form for school use in reporting hours. The secretary was directed to work with the board attorney regarding the responsibility of the schools to report hours.

F. Fiscal Year 2011 year end revenue and expense sheets provided to the board.

Review of Revenues and Expenses:

2011 Revenues: \$294,020.05 up \$81,714 from 2010

2011 Allocation \$257,000.00

Difference \$ 37,020.05 - Total amount to State General Fund

2011 Allocation: \$257,000.00

2011 Expenses: \$231,081.10

Difference \$ 25,918.90 – Portion of allocation returned to the General Fund

10) New Business

Request by Terrie Mau of Moler Barber School to assure that moving the last examination due to the state shutdown not have a negative effect on apprentice barbers seeking to take the registered barber examination in 2012 because the exam will fall before one full calendar year has elapsed.

Motion by Stone that for the August 2012 examination individuals that received their apprentice license in August 2011 be allowed to register, second by Klemenhausen, motion carried unanimously.

11) Call for Public Comments

There were no requests for additional public comment

12) Meeting Schedule

Scheduled Board Meetings

November 28, 2011 – Conference Room A

2012 Meetings

January 9, 2012

March 26, 2012

May 2012

July 2012

Sept 2012

Nov 2012

Committee and other Meetings – Scheduled as needed

Complaint Committee- following the Board Meeting September 26, 2011 (Closed Meeting)

Advisory Task Force: To be Announced

13) Adjournment

Motion to adjourn by member Stone, second by member Klemenhausen, meeting adjourned at 10:10am.